

REMARKS

The claims have been amended by rewriting claims 1, 8, and 10. Claims 1, 3-8, and 10-16 remain in the application.

Reconsideration of this application is respectfully requested.

Claim Rejections - 35 U.S.C. § 102(e):

Claims 1, 3-4, and 8 are rejected under 35 U.S.C. § 102(e) as being clearly anticipated by Shaughnessy et al. (U.S. Patent 6,141,347).

Applicant has amended independent claims 1 and 8. All other claims depend ultimately on one of these two independent claims. Applicant has amended claims 1 and 8 to include the limitation that the radios or communication devices are all subscriber communication devices. That is, they are not part of the system infrastructure, such as base site radios. Support for this limitation may be found in the instant specification at page 7, line 26 to page 8, line 15. Furthermore, Applicant has added the limitation previous in the preamble of claims 1 and 8 that each subscriber radio has a unique IP address to the step of selecting. Applicant believes the claims as amended are not anticipated by the '347 patent (Shaughnessy).

Regarding the use of a unique IP address for each subscriber radio, Examiner contends '347 shows such at the abstract and in reference to FIG. 2 of '347. Applicant has read '347 and finds this to not be the case. '347 shows the use of multicast addresses. Each multicast address is associated with a different talk group having a talk group number. In FIG. 2 of '347 for example, element 225 shows a mapping of multicast addresses to talk group identifiers. Similarly, radio 300 contains a mapping 320 in a memory 312. Although the multicast addresses are in IP form, they are assigned to talk groups and are not associated uniquely with any radio. This is explained in column 2, lines 45-67 of '347. In particular, '347 explains how each site or alternatively each subscriber unit maintains mappings of multicast addresses and talk group identifiers, and regardless of the particular embodiment, "when a subscriber unit affiliates with a given site and talk group, that site will identify a multicast address corresponding to the talk

group. Further elaboration as to the use of multicast addressing is provided in columns 3 and 4, generally. When a subscriber device wishes to participate in a group call it uses the multicast address. The site radio then affiliates a talk group identifier for the site with that multicast address. Other subscriber radios affiliated with that site will use the same multicast address to participate in the group call, and the site will associate such other subscribers with the talk group.

Regarding Applicant's claimed step of transmitting in claims 1 and 8, Examiner contends '347 shows this limitation at column 5, lines 42-43; column 6, lines 38-42; and column 8, lines 21-23. The material identified in these passages in columns 5 and 6 describe transmitting a affiliation messages to sites in the communication network. As described in column 5, "[t]his is typically performed whenever a subscriber unit roams between sites or powers up for the first time within a site." The affiliation message being discussed here relates to mobility management, and so that talk group affiliations used by the subscriber unit can be mapped to talk group identifiers used by the site by means of the multicast address specified by the subscriber unit. The cited passage in column 6 is fairly similar, describing a affiliation message being sent to the site by the subscriber unit. Furthermore, as amended the message being transmitted includes a dynamic group call number, as described in the instant specification at page 9, lines 11-15.

Conversely, Applicant's claimed limitation is not an affiliation message for mapping a multicast address to a talk group, nor is the message being transmitted "to the site," rather the site is transparent in the transmission because, as the claimed limitation reads, the message is being sent to selected target radios, which are selected from a plurality of subscriber radios. The message includes a dynamic talk group number to be used by each subscriber unit in the dynamic talk group call, which is also not shown or suggested by '347.

Therefore, the multicast address are not unique IP address assigned to subscriber radios, as claimed by Applicant. The message being transmitted by the group call originator is sent to other subscriber radios and contains a dynamic group call number to be used for the dynamic

group call. These limitation are not shown by '347. Applicant therefore contends '347 does not anticipate independent claims 1 and 8.

Claim Rejections - 35 U.S.C. § 103:

Claims 5-6 and 12-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Shaughnessy et al. (U.S. Patent 6,141,347) in view of Grube (U.S. Patent 5,058,199).

Claim 7 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Shaughnessy et al. (U.S. Patent 6,141,347).

Claim 10 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Shaughnessy et al. (U.S. Patent 6,141,347) in view of Turina (U.S. Patent 6,031,832).

Claims 3-7, and 10-16 depend from claims 1 and 8, respectively. Applicant believes claims 1 and 8 are now allowable, and therefore the rejections with regard to claims 3-7, and 10-16 are obviated.

Accordingly, this application is believed to be in proper form for allowance and an early notice of allowance is respectfully requested.

Please charge any fees associated herewith, including extension of time fees, to 50-2117.

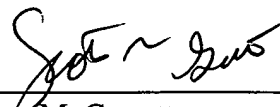
Respectfully submitted,

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